5.D

36. (New) A molded retaining wall block suitable for use in forming a mortarless retaining wall when stacked in multiple courses with other identical retaining wall blocks, said block comprising:

- (a) a generally horizontal, planar upper surface which is solid;
- (b) a lower surface suitable for engaging the planar upper surface of an adjacent block to maintain a parallel relationship between successive courses of blocks when the blocks are stacked together to form a wall;
- (c) a front face that is vertical and generally planar over a substantial portion of the front face;
- (d) a rear face;
- (e) a pair of generally vertical side faces joining the front and rear faces, said side faces each having rearwardly converging side portions; and
- (f) a flange extending below the lower face of the block to provide a surface suitable for engaging the block with the rear face of a different block in the course below the said block to thereby provide a set-back to a retaining wall constructed from such block.

## **REMARKS**

Original claim 1 is canceled without prejudice or disclaimer by this preliminary amendment. Original claims 2-29 were canceled upon filing this continuing application. New claims 30-36 are added and are pending. Support for new claims 30-36 may be found in the claims as filed, as well as throughout the specification and Figures.

Favorable consideration is requested.

Respectfully submitted, MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 336-4708

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